

Salisbury Planning Board Meeting Minutes

Date: Wednesday, September 13th, 2017

Place: Colchester Auditorium, Salisbury Town Hall, 5 Beach Road

Time: 7:00 p.m.

PB Members Present: Chair Helen “Trudi” Holder(**TH**), Vice Chair Gina Park(**GP**), Don Egan(**DE**), John “Marty” Doggett(**JMD**), and Gil Medeiros (**GM**).

PB Members Absent: Louis Masiello (**LM**)

Also Present: Assistant Planner Bart McDonough (**BMD**).

Chair Trudi Holder called the meeting to order at 7:00p.m. in the Colchester Auditorium, Salisbury Town Hall. Announced, per opening meeting law, that the meeting was being recorded.

GM was not yet present.

1. Correspondence

a. Minutes- July 26, 2017

DE motioned to approve the minutes for July 26, 2017.

GP seconded.

Vote: 4-0, unanimous. Motion Carried.

b. Minutes August 23, 2017

GP motioned to approve the minutes for August 23, 2017.

JMD seconded.

Vote: 4-0, unanimous. Motion Carried.

2. New Business

a. Signing of Plans & Permits

3. Public Hearing 7:00 pm

a. VWI Towers, LLC d/b/a Varsity Wireless, 109 Rabbit Road

Francis Parisi (**FP**) introduced the site plan and special permit application. Jesse Merino (**JM**), civil engineer, was also present. Stated they have complied with the zoning bylaws and have met with the Town departments and received feedback as part of the submission process.

Presented on the technology to be installed and the pros of doing so and the perimeters that led them to select the location proposed. Site is accessed through 111 Rabbit Road which has an existing access road that will be utilized that is under the same ownership. The site is previously disturbed and requires no tree removal. Vegetated buffer will remain intact. Vehicular study was conducted at the request of the town engineer. There is ample space for emergency vehicles to

access the site. Extensive erosion control is proposed and will be going to the Conservation Commission following the Planning Board approval. The utility run was revised and will go underground to the access road and overhead over the access road and wetland with overhead poles to Rabbit Road. This will prevent further wetland disturbance.

GM arrived at 7:22 p.m.

FP proposed 150 foot lattice type tower that satisfied all wind and structural requirements. Had a software analysis done to show tower visibility. The majority of visibility will be on Route 95 and the farms across from Route 95; limited visibilities along Rabbit Rd. No water or sewer required. Temporary facilities will be provided during construction. The tower poses no health or safety hazards.

DE asked if a monopole had been considered as the lattice pole is quite visible. **FP** responded they had but the lattice tower was required by zoning for poles over 100 feet. **DE** asked about the tower that was erected across the highway. **FP** explained the tower services a different area.

DE asked about the relationship between their company and the landscape company. **FP** responded they are leasing land from them. **DE** stated the Board usually likes to see improvements to the site overall when a site plan on a property comes through. There are still outstanding items on an order of conditions with the Conservation Commission. **FP** responded he is aware of the outstanding items with the Conservation Commission and they will be addressed separate from this process

JMD asked **FP** to expound on the utilities issue. **FP** reiterated the utilities will need to cross wetlands and going overhead is more practical. Will be underground when practical. **GP** stated that if National Grid finds it unfeasible for utilities to be underground it would require some explanation to the Board as to why. **GP** also asked who will be responsible for cleaning the sediment traps. **FP** stated it will be their responsibility if approved as such.

Wilma McDonald (**WM**) cautioned this could adversely affect property value for property owners on Rabbit Rd. Asked the Board to keep the welfare of these people in mind. **FP** refuted, stated connectivity is a desirable commodity.

Glenn Shirley (**GS**), 123 Rabbit Rd., Expressed concerns about health issues and the unknown effect it could have on his family. Also concerned with the negative effect it would have on his property value and the difficulty it could create if he wanted to sell his home

Al Dastous (**AD**), 125 Rabbit Road also shared the concern about property value and reminded the Board it will be more visible when the foliage is gone.

Joey Dastous (**JD**), 125 Rabbit Road, was also concerned about health issues and property value. Asked them to consider different locations. Informed the Board that it is a good service area.

DE asked what would happen if they erected a 100 ft. tower, instead of a 150 ft. tower. **FP** explained the trees and the topography disrupt the signal.

DE asked if trees could be installed to mitigate the visual effect for the residential area. **FP** stated they would be open to that but the vegetation would be the most effective if installed at a distance. They don't own the property in the area so it would not be effective.

GP asked what distance would be best for safety. **FP** answered he stands next to the tower and has no concerns for his health, it is elevated as well which increases the distance it is from residential areas.

TH asked if they had considered other locations. **FP** stated this location was assessed as the optimal location for decreasing visibility. **DE** asked if the generator was going to be enclosed. **FP** responded due to heating a shelter, generators are not going to be used. Batteries will be used

unless there is a major blackout. **DE** suggested hours of restriction for the generators. **FP** agreed to the condition.

TH asked if there were four (4) parking spots on the plan. **FP** responded there is only one (1) spot as required as well as a turnaround area for safety vehicles.

Dianne Dastous (**DD**), 125 Rabbit Road, asked the Board to consider denying the location to save their property value. Stated it will have a negative effect on their lives.

BMD read a letter provided by EBI Consultants, Inc., asking for comment on the effect of this site plan on historic properties in the area. **FP** explained EBI was engaged by them to comply with federal regulations to prove there are no impacts. **FP** is confident there is no impact but the state is asking them to confirm that. Stated that it is a separate issue to the site plan approval/special permit. Informed them they can just state the facts they don't need to determine the impact unless they have an opinion.

GP motioned to respond by letter to EBI regarding the historical buildings outlining the historic properties and if they do or do not fall in the visibility range and a description.

DE/GM don't feel a response letter is in their purview to provide, especially prior to the Board's approval.

DE motioned not to respond request letter from EBI.

GM cannot vote as he was not present in the beginning of the public hearing.

JMD asked what effect not responding would have.

FP recommended responding. No response would likely be taken as no concern.

DE rescinded his prior motion and motioned to send a letter to EBI with a list of the historic properties and stating that they are currently evaluating the impacts on the properties and will respond when they have reached a decision.

JMD seconded.

GP suggested including the area of impact provided by the applicant.

Vote: 4-0, unanimous. Motion Carried.

The Board would like more time to consider possible conditions (including possible screening and height reduction), and to consult the assessor about property values and the utility placement.

GP motioned to continue the public hearing for VWI Towers, LLC d/b/a Varsity Wireless, 109 Rabbit Road to October 11, 2017 at 7:00p.m.

JMD seconded.

Vote: 4-0, unanimous. Motion Carried.

4. Old Business

a. Request for Extension- 8 Bartlett Street, Barbara Souther

GM cannot vote as this falls under the subdivision control bylaw.

DE motioned to grant the extension for 10 Bartlett street, Barbara Souther to February 24, 2019.

JMD seconded.

Vote: 4-0, unanimous. Motion Carried.

5. Other Business

a. Discussion regarding zoning changes

The Town Manager is proposing passing a moratorium on recreational marijuana that will allow the state to put laws into place before Salisbury creates its bylaws. This is going before Town Meeting this fall.

BMD suggested starting workshops for updating the parking bylaw. **TH** suggested getting the workshops started before winter when some residents may not be in Town. Board would like to engage a consultant to work on the update.

Town Manager and the Building Inspector are also working on comments for the site plan review. Deadline to submit to the warrant for the public is September 22, 2017

6. Adjournment

GP motioned to adjourn the September 13, 2017 Planning Board meeting at 9:13 p.m.

DE seconded.

Vote: 4-0, unanimous. Motion Carried.

*Documents provided at the meeting are on file in the Planning Office.

Minutes Approved By: _____ **Date:** _____